UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/436,465	11/08/1999	JUNICHI REKIMOTO	112857-188	6689

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>05 March 2008</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>44-63</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>44-63</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since

this application is eligible for continued examination under 37 CFR 1.114, and the

fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous

Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's

submission filed on 03/05/08 has been entered.

Applicant's amendment filed on 03/05/08 has been entered

and been carefully considered. Claims 44 and 52 have been amended.

Claims 60-63 have been added. However, the limitations of the amended

and new claims have not been found to be patentable over prior art of record,

therefore, claims 44-63 are rejected under the same ground of rejection as

set forth in the Office Action mailed (12/31/07).

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by

another filed in the United States before the invention by the applicant for patent or (2) a patent

granted on an application for patent by another filed in the United States before the invention by the

applicant for patent, except that an international application filed under the treaty defined in section

351(a) shall have the effects for purposes of this subsection of an application filed in the United

States only if the international application designated the United States and was published under

Article 21(2) of such treaty in the English language.

Claims 44-48, 50-56, 58-59 and 60-63 are rejected under 35

U.S.C. 102(e) as being anticipated by Hochmuth [US. 2002/0075319].

As per independent claims 44 and 52, Hochmuth et al. teach a computer

implemented method and corresponding system for information processing

comprising the steps/means:

a plurality of different types of application programs, wherein each respective

application program corresponds to its own application data in a desktop

environment (page 2, 0020-0021);

a storage device for repeatedly storing the corresponding application data in a

plurality of different stored states in the desktop environment, wherein each of

said different stored state of said application data includes at least time

information corresponding to at least one of a day and time at which said

application data is stored in the desktop environment (0029);

a time setting means for setting at least one of desired day and time in which

the state of one or more of the application programs is to be reproduced (page

2, 0023);

a receiving device for receiving the time information corresponding to at least

one of a day and time (page 3, 0029);

a controller for locating, based on the received time information, a desktop

environment containing the state of application data from the stored plurality of

different sets of said application data at about at least one of said set day and

time; and for reproducing the state of the application program by selecting the

application the application data in located the desktop environment (page 3,

0024);

a transmitting device for transmitting time information when the state of

application data for any of the application program is changed, wherein the time

information is processed according to the type of application program in which

the state of application data has changed (0024); wherein the time information

for any of the application programs is changed when a user operation changes

displayed application data (when a user accesses a program to execute it, or

otherwise accesses a file via the GUI, that event is logged in a desktop event

log (the time information for the application program is changed). The desktop

event log includes a reference to the program, or files and the date and time of

the access (0009). The time information is processed according to the type of

application program as programs or files. Hochmuth's figure 3 showed plurality

of different programs and files on the desktop. Each of the programs and files is

recorded a different time stamp when the program or file is accessed).

As per claims 45 and 53, Hochmuth teaches the application program

containing a file management program for managing files (figure 3).

As per claims 46 and 54, Hochmuth teaches said application program containing a position and time information management program for managing input position information and the time information corresponding to the position information (page 1, 0009 and page 3, 0032).

As per claims 47 and 55, Hochmuth teaches the application program being capable of multicasting said time information to said plurality of other application program belonging to a particular group (0030-0031).

As per claims 48 and 56, Hochmuth teaches said application program being an application started by a same user (pages 2-3, 0023-0024).

As per claims 50 and 58, Hochmuth teaches a display for displaying the desktop environment containing the plurality of different stored states of the application data (figure 3).

As per claims 51 and 59, Hochmuth teaches the application data being displayed as an icon or a tag corresponding to an application program (figure 3).

As to claims 60-62, Hochmuth teaches version information of the application data is stored with the time information when the user operation changes the displayed application data (The time the event is logged in a desktop event log is the same time with the time at which the file is changed or edited by the user. Since at the time, the user accesses a program to execute it or to edit the application file, the event is logged in a desktop event log. "The user edits the application file at the same time with "the event is logged in a desktop event

log." As disclosed at figure 3, Hochmuth showed plurality of different programs

and files on the desktop. Each of the programs and files is recorded a different

time stamp when the program or file is accessed.

As to claims 61-63, Hochmuth teaches a difference between a first state of

application data and a second state of application data is stored with the time

information when the user operation changes the displayed application data (The

time the event is logged in a desktop event log (the second state) is the same time

with the time at which the file is changed or edited by the user (the first state). Since

at the time, the user accesses a program to execute it or to edit the application file,

the event is logged in a desktop event log. "The user edits the application file at the

same time with "the event is logged in a desktop event log.")

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set
forth in section 102 of this title, if the differences between the subject matter sought to be patented
and the prior art are such that the subject matter as a whole would have been obvious at the time the
invention was made to a person having ordinary skill in the art to which said subject matter pertains.
Patentability shall not be negatived by the manner in which the invention was made.

Claims 49 and 57 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Hochmuth in view of Wu et al. [6,633,924].

As per claims 49 and 57, Wu et al. discloses the application program

operating on a different computer than said another application program

(column 3, lines 42-51). It would have been obvious to one of skill in the art, at

the time the invention was made, to combine the teaching of Hochmuth of

plurality of different states as claimed with the teachings of Wu. Motivation of

the combination is for the advantage of reliability, simplicity of the

synchronization manager.

Response to Arguments

Applicant has argued that Hochmuth does not teach or suggest "the time information for any of the application programs is changed when a user operation changes displayed application data".

However, the examiner respectfully disagrees because when a user accesses a program to execute it (this is similar to "the application data being changed by the user operation" of the claimed invention), or otherwise accesses a file via the GUI, that event is logged in a desktop event log (it is the time at which the file is accessed by user interaction which is ultimately logged.) The time the event is logged in a desktop event log is the same time with the time at which the file is changed or edited by the user. Since at the time, the user accesses a program to execute it or to edit the application file, the event is logged in a desktop event log. "The user edits the application file at the same time with "the event is logged in a desktop event log." As disclosed at figure 3, Hochmuth showed plurality of different programs and files on the desktop. Each of the programs and files is recorded a different time stamp when the program or file is accessed.

Therefore, Hochmuth still reads on the feature of "the time information for any of the application programs is changed when a user operation changes displayed application data."

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran. The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4141.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

571-273-8300

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mylinh Tran

Art Unit 2179

/Weilun Lo/

Supervisory Patent Examiner, Art Unit 2179